

REMARKS

This reply is in response to the final Office Action mailed October 23, 2009. In the Office Action, method claim 36 was objected to as improperly depending from apparatus claim 33. Claims 1-2 and 34-38 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rode et al. (U.S. 5,184,996). Alternatively, claims 1-2 and 34-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rode et al. Claims 3-12, 14-19, and 21-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rode et al. in view of Wingerter (U.S. 5,393,291). Claims 31-33 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rode et al. in view of Curtis (U.S. 3,634,995). Finally, claims 13 and 20 were objected to as being dependent on a rejected base claim but were indicated as being allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

With this response, claims 1, 3, 6, 11, 12, 17, 21, 24, 25, 34, 36, and 37 are amended. Claims 10, 14, 15, 16, 19, 20, 35, and 38 have been canceled. For the reasons set forth below, applicant respectfully requests reconsideration and allowance of the pending claims.

Claim Objections

Claim 36 was objected to under 37 CFR 1.75 as being in improper form because it depends from claim 33, which is an apparatus claim. Claim 36 has now been amended to depend from claim 34. As such, applicant respectfully requests withdrawal of the objection to Claim 36.

Objected to claims

Claims 13 and 20 were indicated as being allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 1 has been amended to include the limitations of claim 20 and all intervening claims. Method claim 34 has also been amended to include substantially the same limitations as claim 1 as amended herein.

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS[®]
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100

CONCLUSION

In light of the above, it is submitted that all remaining bases of rejection are now moot and that claim 1 and the claims that depend thereon as well as claim 34 and the claims that depend thereon are now in condition for allowance. If the Examiner has any remaining questions about the application, the Examiner is invited to call applicant's attorney at the number listed below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Rodney C. Tullett
Registration No. 34,034
Direct Dial No. 206.695.1730

RCT:pg

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2500
Seattle, Washington 98101
206.682.8100